



United States Government
NATIONAL LABOR RELATIONS BOARD
Region 5 – Washington Resident Office
1099 14th Street, NW, Suite 5530
Washington, DC 20570

January 19, 2001

VIA FACSIMILE TRANSMISSION (516) 364-0466 AND FIRST CLASS MAIL

Mr. Alan Becker, Esq.
Jackson Lewis Schnitzler & Krupman
1000 Woodbury Road, Suite 402
Woodbury, New York 11797

*Exemption
6 + 7 (e)*

American Institute of Physics
Cases 5-CA-29366

Dear Mr. Becker:

I am in receipt of your January 18, 2001 letter. You assert that several statements in my January 17, 2001 letter need clarification. My responses are numbered below.

1. I do not have specific names, times and dates when other employees used work time for personal pursuits.
2. The 8(a)(3) allegation does not refer to anything other than the article.
3. I have no copy of the rule.
4. On or about November 10, 1999, [REDACTED] requested that accumulated vacation time be carried over to year 2000. [REDACTED] request was denied. When [REDACTED] claims that [REDACTED] was not paid for this forfeited vacation time. [REDACTED] also claims that [REDACTED] was paid for only two of the four personal days and bonus days due [REDACTED]. This issue concerns fair treatment and potential backpay.
5. Region 5 gives less weight to Position Statements than sworn affidavits that are given to a Board agent under oath.

Please contact me if you are in need of any further clarification.

Very truly yours,

Thomas P. McCarthy
Thomas P. McCarthy
Field Attorney